

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KRISTIN HARDY,

Plaintiff,

v.

R. MORENO, et al.,

Defendants.

Case No. 1:21-cv-00327-DAD-EPG (PC)

ORDER GRANTING DEFENDANTS'
REQUEST TO OPT OUT OF AN EARLY
SETTLEMENT CONFERENCE

(ECF No. 44)

This matter has been referred for an early settlement conference. (ECF No. 33). On February 18, 2022, defendants Moreno, Chavez, Dohs, and Valencia ("Defendants") filed a request to opt out of the settlement conference. (ECF No. 44). According to Defendants, "Defense counsel has conducted a preliminary investigation, and has spoken with Hardy and her supervisor. Based on this investigation, Defendants in good faith find that a settlement conference would be a waste of resources at this stage...." (*Id.* at 1) (citations omitted). "Defendants also request that the Court issue a scheduling order...." (*Id.* at 2).

The Court will grant Defendants' request to opt out of an early settlement conference.¹ A settlement conference may be scheduled at a later date, if appropriate.

Accordingly, it is ORDERED that Defendants' request to opt out of an early settlement conference (ECF No. 44) is GRANTED. As to Defendants' request that the Court issue a

¹ Pursuant to the order regarding early settlement conference (ECF No. 33), Defendants did not need to file a request to opt out of the early settlement conference. Instead, Defendants should have filed a notice that Defendants are opting out of an early settlement conference.

scheduling order, the Court will issue a scheduling order in due course.²

IT IS SO ORDERED.

Dated: **February 22, 2022**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE

² Defendant Ceballos has not yet appeared, and has until March 9, 2022, to file his responsive pleading (ECF No. 42).